

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE

NIKKI BOLLINGER GRAE, Individually and ) Civil Action No. 3:16-cv-02267  
on Behalf of All Others Similarly Situated, )  
  ) Honorable Aleta A. Trauger  
Plaintiff,   )  
  ) PLAINTIFF'S MOTION TO EXCLUDE  
vs.   ) EXPERT TESTIMONY OF JUSTIN  
CORRECTIONS CORPORATION OF                     ) MARLOWE  
AMERICA, et al.,                                     )  
  )  
Defendants.   )  
  )

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PLEASE TAKE NOTICE that pursuant to Federal Rules of Evidence 402, 403, 702 and 704, *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993); *Kumho Tire Co. v. Carmichael*, 526 U.S. 137 (1999), Federal Rules of Civil Procedure Rule 26(a) and 37, and applicable authority, Plaintiff<sup>1</sup> on behalf of itself and the Class of investors who purchased CCA securities between February 27, 2012 and August 17, 2016, inclusive, respectfully moves this Court for an order excluding the expert testimony and opinions of Justin Marlowe. This Motion is based on the record in this action, the concurrently filed Memorandum of Law in support of the Motion, the Declaration

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<sup>1</sup> Plaintiff' is Lead Plaintiff and Class Representative Amalgamated Bank, as Trustee for the LongView Collective Investment Fund. "Defendants" are Corrections Corporation of America ("CCA") and "Individual Defendants" Damon T. Hininger ("Hininger"), David M. Garfinkle ("Garfinkle"), Todd Mullenger ("Mullenger") and Harley G. Lappin ("Lappin"). Following the filing of this action, Defendants rebranded CCA and now refer to it as CoreCivic.

of Willow E. Radcliffe and exhibits thereto, and such other evidence and argument as the Court may consider.

DATED: November 20, 2020

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CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on November 20, 2020, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses on the attached Electronic Mail Notice List, and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

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